

Notice of Allowability

Application No.

10/789,599

Examiner

Lana N. Le

Applicant(s)

SPELLMAN, MARK

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/10/07.
2. ☒ The allowed claim(s) is/are 1-4,6,8,9,11,12,15-18,20-22,26,27,29,30,35 and 42-46.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 10102007
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with applicant's representative, Sanders Hillis, on 11/28/07.
3. The application has been amended as follows:
 - in claim 1, in line 8, after "output signal", add ---where the first audio signal and the second audio signal are digitally processed simultaneously by the digital signal processor;-----,
 - cancel claim 5,
 - in claim 18, line 3, after "first tuner", add -----configured to produce a first tuner output, wherein the first tuner is-----,
 - in claim 18, line 6, after "second tuner", add ---configured to produce a second tuner output-----,
 - in claim 18, line 10, after "configured to", add ---digitally process the first tuner output-----,
 - in claim 18, line 13, after "setting", add -----,where the digital signal processor digitally processes the first tuner output and the second tuner output simultaneously-----.
 - in claim 42, line 3, delete "radio" and add ----radio tuners----,

- in claim 42, line 4, add --- simultaneously digitally processing the first and second radio audio signals to generate respective first and second digitally processed audio signals;-----.
- in claim 42, line 6, delete ---generating respective first and second digitally processed audio signal based on the respective first and second radio tuner audio signals;-----.

REASON FOR ALLOWANCE

4. Claims 1-4, 6, 8-9, 11-12, 15-18, 20-22, 26-27, 29-30, 35, and 42-46 are allowable over the cited prior art.
5. The examiner's amendment above is made to put the claims in condition for allowance.

The following is an examiner's statement of reasons for allowance:

The cited prior art, Kelley (JP 05-183461), discloses one tuner with different station selections whose outputs are multiplexed and then demultiplexed for input into accumulators and a digital processing system for demodulation.

Utsunomiya (JP 06-204926) discloses a double tuner diversity RDS receiver wherein a microcomputer chooses a better tuner via a switch in response to the data obtained from the RDS data demodulators, PLL circuits, and the detectors.

However, the cited prior art fail to disclose a first and a second tuner whose outputs of a first and a second audio signal are digitally processed simultaneously by a digital signal processor.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lana N. Le whose telephone number is (571) 272-7891. The examiner can normally be reached on M-F 9:30-18:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/789,599
Art Unit: 2618

Page 5

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LNL
/lnl/


12-03-07
LANA LE
PRIMARY EXAMINER